

2003 DRAFTING REQUEST**Assembly Amendment (AA-ASA1-AB774)**Received: **02/17/2004**Received By: **jkreye**Wanted: **Today**

Identical to LRB:

For: **Mark Honadel (608) 266-0610**By/Representing: **chris**This file may be shown to any legislator: **NO**Drafter: **jkreye**

May Contact:

Addl. Drafters:

Subject: **Shared Revenue**

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Submit via email: **YES**Requester's email: **Rep.Honadel@legis.state.wi.us**Carbon copy (CC:) to: **joseph.kreye@legis.state.wi.us**

Pre Topic:

No specific pre topic given

Topic:

Mitigation payments

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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FE Sent For:

<END>

02/17/2004 08:46:10 AM

Page 1

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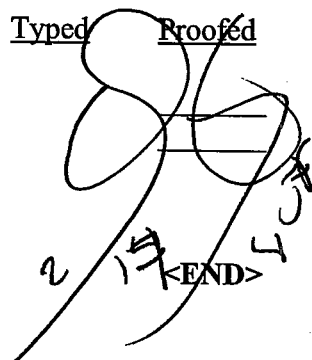
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jkreye

1 Nj 2/17



2 17 <END> 434

FE Sent For:

Kreye, Joseph

From: Reader, Chris
Sent: Monday, February 16, 2004 3:51 PM
To: Kreye, Joseph
Subject: LRBa2218

After reviewing your drafter's note, we agree with you and your recommendations- please make the changes according to your drafter's note and amend the amendment to AB 774.

Thanks!

Chris Reader

*Office of Representative Mark Honadel
Wisconsin State Assembly, 21st. District
Room 6 North, State Capitol
P.O. Box 8952
Madison, WI 53708
(888) 534-0021 toll free
(608) 266-0610*

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBa2218/1dn
JK:kmg:rs

February 16, 2004

Representative Honadel:

Please review this draft carefully to ensure that it is consistent with your intent. Please note that by removing the word "only" from s. 196.20 (7) (c) 1., as affected by the amendment, it seems that the commission may now approve mitigation payments that it receives *after* June 10, 2003. Is that what you intended? If not, the beginning of s. 196.20 (7) (c) 1. could be amended to read "Except as provided in subd. 2., the commission shall only." I believe that that change would give effect to the language that you suggested in subdivision 2 and still prohibit the commission from approving agreements received after June 10, 2003. Please contact me if you have any questions.

Joseph T. Kreye
Legislative Attorney
Phone: (608) 266-2263
E-mail: joseph.kreye@legis.state.wi.us

2235/1

ASSEMBLY AMENDMENT ,
TO 2003 ASSEMBLY BILL 774 ✓

TO ASA ✓

in 2-17-04

now

substitute amendment

At the locations indicated, amend the bill as follows:

1. Page 11, line 8: after that line insert:

Except as provided in subdo 2 of the

"SECTION 16m. 196.20 (7) (c) of the statutes, as created by 2003 Wisconsin Act 89, is renumbered 196.20 (7) (c) 1. and amended to read:

196.20 (7) (c) 1. The commission shall only approve a mitigation payment agreement that is received by the commission before June 10, 2003, and, if the commission finds the agreement to be reasonable, shall not subsequently modify the agreement.

SECTION 16n. 196.20 (7) (c) 2. of the statutes is created to read:

196.20 (7) (c) 2. If the commission receives a mitigation payment agreement before June 10, 2003, and does not determine that the agreement is unreasonable before November 7, 2003, mitigation payments in accordance with the terms of the

1 agreement shall be recoverable in rates, notwithstanding any subsequent
2 limitations imposed by the commission on the mitigation payments.”.

3 (END)